

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 1793

In re application of : Attorney Docket No. 2006_0426A

Erik BUPOST et al : Confirmation No. 3649

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Filed June 30, 2006 : Examiner Richard M. Rump

METHOD OF IMPROVING THE : Mail Stop: RCE CRUSHING STRENGTH, IMPACT RESISTANCE AND COMPRESSIBILITY OF

REPLY TO ADVISORY ACTION SUBMITTED CONCURRENTLY WITH RCE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

UREA, AND UREA COMPOSITION

Serial No. 10/574.815

Sir

With regard to Applicants' argument that the Velzel et al. reference discloses a salt, i.e. calcium acetate, whereas the present invention employs an organic acid, the Examiner argues that calcium acetate meets the requirements of the present claims in that it has "a carboxylic acid group". This is incorrect. Calcium acetate has the formula:

Ca(CH₃COO)₂

and does not have a carboxylic acid group (-COOH). The characteristic feature of a carboxylic acid group is that it has a hydroxyl group (-OH) attached to the carbonyl group (C=O). There is no such hydroxyl group in calcium acetate.

The Ca(CH₃COO)₂ (calcium acetate) of Velzel et al. is insoluble in organic solvents, and because of its specific ionic character has a different charge distribution and hydrogen bond formation, resulting in different behavior in urea than CH₃COOH (acetic acid).

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975.

Thus, the Examiner has made a fundamental error, when comparing the presently claimed invention with the Velzel et al. reference, in stating that the calcium acetate of the reference has a carboxylic acid group. Calcium acetate does not have a carboxylic acid group, since it does not have the characteristic hydroxyl group attached to the carbonyl group.

For these reasons, and for those set forth in the response filed September 2, 2009, Applicants continue to take the position that the presently claimed invention is clearly patentable over the applied reference.

Accordingly, the application is now considered to be in condition for allowance, and such allowance is solicited.

Respectfully submitted,

Erik BIJPOST et al.

Michael

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